

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

IN RE:

NATALIE LEONIE WEDDERBURN
Debtor

Case No. 17-11389-MSH
Chapter 13

MOTION FOR RELIEF FROM AUTOMATIC STAY

Now comes U.S. Bank Trust N.A., as Trustee of the SCIG Series III Trust (“U.S. Bank”) and hereby moves this Court, pursuant to 11 U.S.C. 362(d)(1), and Bankruptcy Rules 4001-1 and 9014, for relief from the automatic stay and to allow U.S. Bank to foreclose the mortgage on certain real estate commonly known as 6 Beechwood Street, Dorchester, MA 02121 (“Property”), title to which is believed to be held by Natalie Wedderburn (“Debtor”) and Joan Pennant and to allow U.S. Bank to commence summary proceedings against the Debtor if necessary. U.S. Bank is entitled to relief from the automatic stay on the grounds that the Debtor is nineteen (19) payments in arrears.

In further support of its Motion, U.S. Bank respectfully states that:

1. On or about February 1, 20008, Joan Pennant executed and delivered a Note in the amount of Four Hundred Fourteen Thousand and 0/00 Dollars (\$414,000.00) to Guaranteed Rate, Inc. See Exhibit “A”.
2. To secure the obligation, the Debtor and Joan Pennant executed and delivered to Mortgage Electronic Registration Systems, Inc., as nominee for Guaranteed Rate, Inc., a Mortgage dated February 1, 2008 and recorded February 4, 2008 in Book 43058, at Page 112, with the Suffolk County Registry of Deeds securing certain real estate commonly known as 6 Beechwood Street, Dorchester, MA 02121 (the “Property”). See Exhibit “B”.
3. U.S. Bank is the current holder, by assignment, of the first mortgage on the property (see Exhibit “C”) and according to the Debtor’s Schedules, there is not an additional mortgage on the property.
4. On April 18, 2017, the Debtor filed a voluntary petition for relief under Chapter 13 of the United States Bankruptcy Code.
5. As of April 30, 2019, the total debt owed to U.S. Bank is Five Hundred Twenty Five Thousand Sixty Two and 06/100 Dollars (\$525,062.06), plus attorney’s fees and costs.
6. According to the records at the Suffolk County Registry of Deeds, there are additional encumbrances on the property, including i) an execution in the original principal amount of \$2,669.20 recorded in Book 48808, at Page 97, and ii) an execution on money judgment in the amount of \$1,456.78 recorded in Book 53818, at Page 81.